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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q65699

Hiroshi NAKAISHI

Appln. No.: 09/919,830

Group Art Unit: 2633

Confirmation No.: 4336

Examiner: NATHAN M. CURS

Filed: August 02, 2001

For: ATM-PON DUAL SYSTEM, OPTICAL LINE TERMINAL, OPTICAL NETWORK UNIT AND ATM-PON DUAL METHOD

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03/08/2005 SZENDIE1 00000062 09919830

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Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. "ITU-T Recommendation G.983.1 - Broadband optical access systems based on Passive Optical Networks (PON)"; ITU-T Recommendations Series G, 31 October 1998 (1998-10-31), pages 1-118.
2. European Patent Application Publication No. EP 0828400, published March 11, 1998.
3. European Patent Application Publication No. EP 1041852, published October 4, 2000.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding European Search Report, dated February 9, 2005, issued in the corresponding European Patent Application.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 09/919,830

Atty. Docket No.: Q65699

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

  
Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: March 7, 2005



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UNIT AND ATM-PON DUAL METHOD

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
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**STATEMENT UNDER 37 C.F.R. § 1.704(d)**

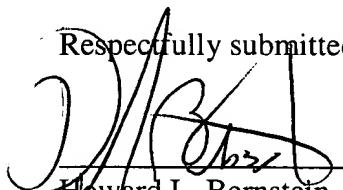
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

  
Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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| <p>Substitute for Form 1449 A &amp; B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p> |   | <i>Complete if Known</i> |                        |
|  |   | Application Number       | 09/919,830             |
|  |   | Confirmation Number      | 4336                   |
|  |   | Filing Date              | August 02, 2001        |
|  |   | First Named Inventor     | Hiroshi NAKAISHI       |
|  |   | Art Unit                 | 2633                   |
|  |   | Examiner Name            | NATHAN M. CURS         |
| Sheet  | 1 | of                       | Attorney Docket Number |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------|
|                    |                       | "ITU-T Recommendation G.983.1 - Broadband optical access systems based on Passive Optical Networks (PON)"; ITU-T Recommendations Series G, 31 October 1998 (1998-10-31), pages 1-118.  |                          |
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| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.